

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

125th Legislative Day

May 15, 1998

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Reverend Dennis Price of the Troy United Methodist Church in Troy. Reverend Price is the guest of Representative Ron Stephens. The guests in the gallery may wish to rise and join us for the invocation."

Reverend Dennis Price: "Father, we pause at the beginning of this session today thanking You for life and the blessings that can only be attributed to a God who loves us and has given Himself to us through Jesus Christ. Thank You for those qualities that make us effective, caring, compassionate people, people with vision and hope. I pray for people in this historic place. I pray for strength for them in the midst of grueling demands on time and energy. I pray for their families as they sacrifice their presence with them to move forward this great state. I pray for wisdom and a discerning spirit as they debate and vote. Thank You for this great nation and the freedom that we experience. We are reminded of the freedom You give us through Christ and knowing His truth will set us free. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hartke."

Hartke, et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Mautino is excused today."

Speaker Madigan: "Let the record reflect excused absences, Mr.

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Cross."

Cross: "Thank you, Mr. Speaker. If the record could reflect that Representative Klingler is excused today."

Speaker Madigan: "Mr. Clerk, take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative David Phelps, Chairperson from the Committee on Elementary and Secondary Education to which the following Bill was referred, action taken on May 15th, 1998, reported the same back with the following recommendation: 'do pass as amended Short Debate' Senate Bill 560. Representative Coy Pugh, Chairperson from the Committee on Human Services to which the following measures were referred, action taken on May 14, 1998, reported the same back with the following recommendation: 'be adopted' House Resolution 485. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II - Criminal Law to which the following Amendment was referred, action taken on May 14, 1998, reported the same back with the following recommendation: 'be approved for consideration' Floor Amendment #3 to Senate Bill 1506. Representative Todd Stroger, Chairperson from the Committee on Local Government to which the following Amendment was referred, action taken on May 15, 1998, reported the same back with the following recommendation: 'be approved for consideration' Floor Amendment #1 to Senate Bill 1210. Representative Dan Burke, Chairperson from the Committee on Executive to which the following measure was referred, action taken on May 14, 1998, reported the same back with the following recommendation: 'be approved for consideration' Floor Amendment #10 to Senate Bill 1701 and Floor Amendments #17,

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18, 19 and 20 to Senate Bill 1878. Introduction of Resolutions. House Resolution 500, offered by Representative Mautino; House Resolution 501, offered by Representative O'Brien; and House Joint Resolution 67, offered by Representative McGuire. Assigned to the Rules Committee."

Speaker Madigan: "On the Order of Senate Bills, Second Reading, there appears Senate Bill 1420. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1420 has been read a second time previously. Amendment #1 was adopted in Committee, Floor Amendment #2 has been adopted to the Bill. No Motions have been filed, no further Floor Amendments approved for consideration. The Note that was requested on the Bill has been filed."

Speaker Madigan: "Third Reading. On the Order of Senate Bills, Third Reading, there appears Senate Bill 1432, Mr. Moffitt. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1432, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1432 is a simple, straightforward Consumer Protection Bill. It says that if someone has...is going to court to collect payment on a check, a bad check, that they do need to give notice to the defendant that if they pay it before the hearing that they can pay the face amount as well as costs. After that, of course, there can be treble...or triple damages or triple costs. So it's just making sure that the consumer knows that they have that option, that's already the law. We're just...this legislation would make sure that they receive notice of

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that. This Bill passed the Senate unanimously. There's no opposition. Illinois Retail Merchants Association is a proponent of this. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? For what purpose does Representative Gash seek recognition? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 people voting 'aye', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Monique Davis, you're the Sponsor of Senate Bill 1420 which is now on the Order of Third Reading. Do you wish to call your Bill? Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1420, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. Senate Bill 1420 merely changed the fees that...I mean, the date of the fees that this reimburs...the reimbursement rate would adhere to. We passed this out of Committee and...thanks very much. This Bill amends the Medical Assistance Article of the Public Aid Code with respect to standards of payment to long-term care providers. It provides that after June 30th, 1998, the payment rate shall include an update for inflation and shall be based on the most recent cost reports on file with the department, no later than April 1st of the current rate year. With respect to the reimbursement methodology for long-term care providers, it provides that beginning not later than July 1, 1999, the nursing component of the

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reimbursement rate shall be calculated according to a resource utilization grouping system model. Beginning not later than July 1, the year 2000, the capital support and nursing components of the reimbursement rate shall be calculated according to a methodology that is entirely cost-based and it would be effective immediately."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Black: "Representative, I believe the Department of Public Aid now has a new cost estimate on this measure because of changing the language to a midpoint estimate. Have they given you that fiscal impact?"

Davis, M.: "We do have that fiscal impact. We have it and..."

Black: "Staff indicates that it would cost about \$91 million in fiscal '99 and \$136 million a year in subsequent years. Is that...that's a considerable amount of money. Let me continue on another track."

Davis, M.: "I think that is correct. We can't find our note, we know it's here."

Black: "Okay. Alright."

Davis, M.: "But that's probably correct."

Black: "I'm not sure... Let me see if I can phrase this to get the answer that I'm looking for. It appears that what you...what the legislation would do would be to make the property taxes paid by a privately owned nursing home subject to reimbursement by the department. Now, it would seem to me that a privately owned nursing home would have figured in its rates the amount of property taxes they pay on their property. So, it would seem that the taxpayer is then subsidizing a profit making business. I don't

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understand why you want to do that."

Davis, M.: "Representative, I don't think we're subsidizing. As you know, many nursing homes are nonprofit. For example, they may have...they may be sponsored by a religious organization and many of them are nonprofit making. We... And it's part of their cost. We reimburse them for their cost."

Black: "But where in your legislation does it distinguish between a profit making enterprise and a nonprofit making enterprise? For example, in my district, I have a county owned nursing home that, of course, doesn't pay property taxes. I have a number of profit making institutions that operate nursing homes who do pay property taxes. Is there some place in the Bill where there is...it's distinguished between a nonprofit home and a for-profit nursing home?"

Davis, M.: "Representative, the department recognizes the difference between the profit making and nonprofit making and that is still left up to the department. We have not included that in the legislation because it's not a part of this legislation because the policy is for the department to make those determinations."

Black: "Well, I thought I saw language in the Bill that says, 'effective October 1, 1998, the department shall reimburse for the actual cost of real estate taxes paid by the facility, prorated for the facility's medicaid census.' It appears to me that we'd be using tax money to offset the normal cost of doing business for a privately operated nursing home."

Davis, M.: "That is correct. As part of their cost, as a part of their cost of doing business. That is in the legislation, and we do reimburse them on a cost basis."

Black: "Okay. Well, thank you, Representative. I appreciate you

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answering the questions. Mr. Speaker, to the Bill. It would appear that the proponents of the Bill have done a very good job of working this Bill and I have little doubt that it will pass. I would suggest to my colleagues that they listen to the debate, and they may want to use their laptop computers to read this because we're setting what I think is a somewhat of a dangerous precedent and that is allowing a private, for-profit institution to be reimbursed for property taxes paid. Now, I think the intent of the legislation is admirable because of the medicaid rate freeze and other problems we've had, but if you carry this to a, perhaps, logical extension, then other businesses that are in the social service delivery system will say, 'Well, we'd like to have rates that would reimburse us for property taxes paid, as well.' That could be a sheltered workshop. It could be a day care center for adults with Alzheimers or other disabilities. I think we're opening up a real situation here and, perhaps, those who would follow in debate could clarify it for me, but it certainly seems to me, and I don't quarrel with the intent of the legislation, but I do have some concerns about reimbursing private businesses for property taxes paid. I appreciate the indulgence of the Speaker and the Sponsor. Thank you."

Speaker Madigan: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Biggins: "Representative, why is this Bill necessary?"

Davis, M.: "Well, because we need this to be available. Negotiations are currently taking place, Representative, Governor's Office - both sides of the aisle, and the substantive language may change, but we need to keep this alive in order to place whenever the agreements are reached

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on this legislation."

Biggins: "Well without this legislation wouldn't it be less cost to the state?"

Davis, M.: "Without this legislation we won't have... There is a freeze, currently, on the nursing homes...on the nursing home rates. This legislation will allow us to change the statute in whichever way the leadership decides it should be changed. May I emphasize that those negotiations are continuing and..."

Biggins: "Well, this freeze was initiated, I think, or extended rather on June 30th, 1996. So, is it important that we cancel it now and can't we extend it another year or two and save the taxpayers some money and still provide care to the people that need it?"

Davis, M.: "We need to look at the freeze, Representative, and we also need to look at the methodology, and that's why the negotiations are continuing on this to look at that freeze under which we currently operate and also to look at that methodology."

Biggins: "Well, if the cost to the state on this is going to be \$31 million, according to the estimate of the Department of Public Aid, wouldn't it be easier to pass a cost of living increase along to the providers? And I'm told now that it says, as of yesterday it's up to \$91 million. Wouldn't it be cheaper for the state to just put up a Bill that would raise the cost of living increase for those providers?"

Davis, M.: "Even if we did that, Representative, we also must change this language. So, we're just asking to send this Bill over to the Senate in order that they can have a vehicle for the substantive language or whatever's needed before the deadline date."

Biggins: "You know how much of this money, of the estimated \$91

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million, will go directly toward the providers, the care workers, and how much would be versus how much might be in administration?"

Davis, M.: "This Bill does not make that distinction, Representative. The reimbursement is, of course, cost based and that distinction will be made by the individual facility with policy from the department."

Biggins: "I think that you understand the concern as, we pass along what we think are increases in certain areas, and we intend them to go toward the providers, but sometimes the administrative costs intercede and interrupt that and, therefore, the intention of the money's not delivered. While on the matter of the property tax reimbursement, I understand that it's based upon the percentage of medicaid clients in the nursing homes?"

Davis, M.: "Representative, this Bill does not make a determination about the administrative costs, or either way, the substantive language here is based upon what the department can do and what the nursing homes must report as their costs, but the Bill does not state how much can be spent for administration and how much not. The department will continue to monitor that."

Biggins: "Well, then, let's just suppose that a facility claims that they have a certain percentage, 20% medicaid clients and they, therefore, say that they should get a 20% credit against their property taxes. Is there any audit that's done to make sure that these facilities do, indeed, have 20% so that they're entitled to the full 20% property tax reimbursement?"

Davis, M.: "We reimburse on a client based system. We don't reimburse based upon their...on their property tax. This is simply medicaid, and we reimburse on an individual

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patient or medicaid client basis."

Biggins: "Well, that's not my understanding. My understanding is that the program is based on the number of medicaid beds available and if 10% are medicaid, then they get a 10% reimbursement on property taxes that were paid. Now, then the question also arises, does it depend on the number of beds available or the number of beds actually occupied?"

Davis, M.: "Well, that is correct to the extent that we reimburse based upon the number of clients and the cost is prorated based upon the number of clients."

Biggins: "Well, do we know for sure that there's a correct correlation between the amount requested to be rebated on property taxes versus the number of beds or patients that are in the facilities? Maybe that's not, I know that's not in your Bill, but do you know if there's a provision in our state auditing process where this would be checked?"

Davis, M.: "We reimburse them based upon the service rendered to individual clients."

Speaker Madigan: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. Thank you."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Mulligan: "Representative, I noticed there's several Fiscal Notes filed in here, updated. Obviously, there was a large error in the amounts that were first allocated or thought to be what it would cost."

Davis, M.: "No, I think it was based upon Amendments #1 and then we filed another Amendment to change something technical, and then they asked for another Fiscal Note based upon that second Amendment."

Mulligan: "But it's my understanding that it is 91 million for

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the first year and 136 million for the next year."

Davis, M.: "That is for the public aid portion, and there's also a Department of Human Services cost."

Mulligan: "Is there any sunset in this law?"

Davis, M.: "No, there is not."

Mulligan: "Don't you think that would be appropriate when we're spending the state's money in an ongoing fashion when we don't know what the Federal Government is going to do or where we're going to be financially five years down the road, and it makes it very difficult to revisit an issue if you don't set some kind of limit or a way to readjust the rates if we no longer can operate on that basis?"

Davis, M.: "Well, rather than have it sunset, Representative, we would prefer, I think, to continue what we do and that's to look at it through the budgetary process on an annual basis. On a yearly basis we look at the budget for this particular..."

Mulligan: "But doesn't your Bill remove that, our ability to do that? It makes it automatic?"

Davis, M.: "I'm sorry, I didn't hear you."

Mulligan: "Doesn't your Bill remove our ability to do that because it automatically sets how we're going to do this?"

Davis, M.: "It does not remove it, Representative. Every year we review this issue. We review it through the budgetary process."

Mulligan: "But you're setting the way we're going to do it ahead of time, and it removes future Legislatures' ability to look at it in an individual way."

Davis, M.: "The Legislature cannot be preempted in looking at any budget. We've amended the statute in the past and put the rate freeze on, and we'll continue to have that opportunity and obligation."

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Mulligan: "But this says that the rates have to be updated at the midpoint of every year. I think what you're saying is conflicting with what the Bill is actually doing, and I do think that we're taking the ability away from future Legislators to look at the current economic climate and decide what they're going to do by doing it in this fashion."

Davis, M.: "Well, in the event that the Legislature does not act, then there is something in place; however, the Legislature will act and have the opportunity to act, but in the event they do not, something is in place and they would be given annual adjustments, but this does not preclude the Legislator's ability to change that at all."

Mulligan: "I think I'm hearing you, but it's very difficult. I think I disagree with what you just said, if I heard you correctly, because I do think that we're setting precedent..."

Davis, M.: "Well... I don't want you to disagree with me, Representative, because you can't hear me."

Mulligan: "Right, I know."

Davis, M.: "What we said was, even though it is in the language that it's an annual adjustment, the budgetary process allows for the Legislature to make the changes that it deems desirable, and we've done this in the past. We implemented the rate freeze, and we're not removing that ability from this Body."

Mulligan: "Well, I would suggest that either we're giving a false impression with the Bill or we are removing that ability because you're putting it into a law that says we're going to do it a certain way and we're giving the nursing home industry people the idea that that's what's going to happen, but then you say that that may not be what's

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happening and that we still have control over it. So, it's slightly conflicting."

Davis, M.: "Well, that is the way the law was, Representative, prior to the rate freeze in 1994. So, we're merely placing the historical language that was already there before the rates freeze."

Mulligan: "All right, to the Bill. I... You know, I don't disagree with what the Lady's trying to do, for the simple reason that we try to privatize or move costs on to local areas and we need to be aware of the fact there has been a rate freeze, but I just think that the Body ought to know the amount of money and be well aware of what they're voting on and how much we're spending and what the cost is for two reasons. Number one, it's a large amount of money and number two, we ought to be looking at alternatives for long-term care. The fact that we put people in nursing homes and we pick up the tab is very expensive to the state. The object is, we should be passing things that would help people that stay in their homes, provide better services for the people that care for them, up those rates so that people can stay in their home longer and the state does not have to absorb these medicaid costs. And I think when we pass a Bill here that's looking at a \$91 million increase in one year and \$136 million in the next year, we have to take a look at how we're running the state and what we're doing and that we're not encouraging people to purchase or do things with long-term care insurance, to help the rates of the home care providers, things that really make a difference in keeping this Bi... budget item down."

Speaker Madigan: "Representative Davis to close."

Davis, M.: "Okay. Thank you, Repres...Mr. Speaker."

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Representative, this Bill passed out of committee with unanimous support, and it passed out of committee with your support. The negotiations are continuing. This Bill will allow the Senate, the Governor's Office, both sides of the aisle to continue the negotiations in reference to the exact replacement methodology for the...reimbursing nursing homes and under medicaid. So, we just urge an 'aye' vote, keeping the process alive."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 116 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1203, Mr. Clerk. What is the status of that Bill? For what purpose does Representative Mulligan seek recognition?"

Mulligan: "Mr. Speaker, I rise to a point of personal privilege. I filed in writing a Motion pursuant to Rule 18(g). I move to discharge the Rules Committee from further consideration on the Motion to Concur in Senate Amendments 1 and 2 to House Bill 868 and to advance this measure for immediate consideration by the House, and I'm joined by any number of my colleagues on this side of the aisle. Also, I request a Roll Call Vote on this Motion to Discharge."

Speaker Madigan: "Representative, we were on the Order of a Bill. We'll come back to your Motion as the next item. The Order is Senate Bill 1585. Excuse me, the Order is Senate Bill 1203. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1203 has been read a second time previously. Floor Amendment #1 has been adopted to the

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Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "Mr. Saviano on the Amendment."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 to Senate Bill 1203 is an Amendment that we negotiated with the Illinois Bankers to bring them into supporting this issue. What the Amendment does, it's a one paragraph Amendment that brings the loan program proposed in the Amendment #1 into the Illinois Banking Act and puts everything on a even playing field when they issue those loans. They have to comply with the same provisions of the Banking Act that banks do when issuing home equity loans. It's an agreed Amendment and I would ask that it be adopted."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Have all Notes been filed?"

Clerk Rossi: "All Notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading.

Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1203, a Bill for an Act amending the Township Code. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1203, as amended, has two provisions in it. Number one, it's a front door referendum which sets up special service areas for unincorporated areas of townships. These special service areas would be designated by requests from

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residents to their local township board for them to put a referendum on the ballot to create these special service areas; to impose a special assessment for these areas for infrastructure repairs such as lighting, flood control, streets, curbs, drainage. This is a Bill that was supported by the Township Officials of Illinois. As amended, we also added a provision which would give flexibility to two neighborhood organizations who allow for home equity insurance programs. It would allow them to issue home improvement loans out of those funds based on the fact that those funds have not been accessed through the insurance program because the property values have appreciated over the years. I would ask for your approval. These are two good pieces of legislation in this Bill where it allows local control, it allows the local people to improve their communities and it's their decision, and I would ask for approval. Thank you."

Speaker Madigan: "Gentleman moves for the passage of the Bill.

The Chair recognizes Mr. Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Cross: "Representative, is there any opposition to your Bill?"

Saviano: "At this point, I know of none. We have addressed the concerns of the bankers who had the...who had the only concern that was raised to me, as the Sponsor of this issue. We negotiated over the last two days and that was the result of Floor Amendment #2 and, as far as I know, everybody is supportive or neutral on this Bill."

Cross: "If I'm not mistaken, in your comments on explaining the Bill, you said this is a front door referendum, Representative?"

Saviano: "That is true."

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Cross: "Does it only apply to Cook County?"

Saviano: "Only applies to Cook County."

Cross: "Does it affect... So, the rest of the state in no way is affected. Correct?"

Saviano: "That is correct."

Cross: "And th...and the Township Organizations of Illinois, they do support this?"

Saviano: "They were supportive. They're the one that brought it to my attention."

Cross: "Okay. Thank you, Representative."

Saviano: "Thank you."

Speaker Madigan: "Mr. Saviano moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 'ayes', 20 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Representative Mulligan's Motion. Representative Mulligan, Rule 54 of the House Rules, Subsection (a)(1), provides at the end of that paragraph that the presiding officer may refer any Motion to the Rules Committee. I hereby refer your Motion to the Rules Committee. Representative Mulligan."

Mulligan: "Mr. Speaker, how can you refer a Motion to discharge to the Rules Committee? I don't understand that."

Speaker Madigan: "The rules so provide. I read the section to you."

Mulligan: "Is this a new change from the last several days?"

Speaker Madigan: "I cited you the section. I cited you the section. It's Section 54, (a)(1). Last sentence in the paragraph."

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Mulligan: "Mr. Speaker, I move to overrule the Chair."

Speaker Madigan: "The Lady moves to overrule the Chair."

Mulligan: "And I request a Roll Call Vote."

Speaker Madigan: "The question is, 'Shall the Chair be sustained?' Those who wish to support the Chair vote 'yes'; those who are against the Chair vote 'no'. Have all voted who wish? Those who support the Chair vote 'yes'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 59 'ayes' and 57 'noes'. The Motion fails. Senate Bill 1251. Mr. Clerk, what is the status of the Bill? For what purpose does Representative Mulligan seek recognition?"

Mulligan: "That Motion, you took that right away from me. I don't think that's fair to call the vote that quickly. I certainly had a right to debate on that."

Speaker Madigan: "Senate Bill 1251. What is the status of the Bill?"

Clerk Rossi: "Senate Bill 1251 has been read a second time previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "For what purpose does Representative Gash seek recognition?"

Gash: "Thank you, Mr. Speaker. I would like the record to reflect that on Senate Bill 1203, I had intended to vote 'no'."

Speaker Madigan: "Let the record so reflect. On the order of Senate Bill 1251 there's an Amendment. Mr. Saviano on the Amendment."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 to Senate Bill 1251 is a cleanup Amendment

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that was proposed by downstate Senators who have constituents who've had problems with their constituents complying with the continuing ed requirements. Since we've passed the rewrite a couple of years ago of the Cosmetology Act, we've had instances where downstate cosmetologists had to travel anywhere from 50 to 200 miles to comply with their continuing ed requirements. This Amendment would address those, to make it more convenient for them to comply and, in some cases, exempt them if they had at least, I believe, 25 years of service. It's pretty much a technical Amendment, and I would ask for its approval."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments have been approved for consideration. The Notes that have been requested on the Bill have been filed."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1251, a Bill for an Act amending the Barber Cosmetology Esthetics and Nail Technology Act of 1985. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Saviano. Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1251, as amended, cleans up the Cosmetology Act dealing with waivers regarding continuing education. This Bill's been negotiated. We've worked on it for the last two weeks. It's agreed by the Cosmetology Association of Illinois. The cosmetology teachers have brought up some questions, but we're willing to work with them on the rules implementing the waivers, and I would ask for its approval. Thank you."

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Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 'ayes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1878. Mr. Holbrook, do you wish to call your Bill? 1878? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1878 has been read a second time previously. Amendments 1, 2, 4, 6, 11, and 13 have been adopted to the Bill. No Motions have been filed. Floor Amendment #15, offered by Representative John Jones, has been approved for consideration."

Speaker Madigan: "Mr. John Jones."

Jones, J.: "Thank you, Mr. Speaker and Members of the General Assembly. The Amendment #15 to House Bill...or Senate Bill 1878 is a...an agreement that's been worked out with DNR for a water line to be laid on their property by the Hamilton County Water District in Hamilton County and there would be a \$10 fee to the water district paid to the Department of Natural Resources, and I know of no opposition and the description of the property is in the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment and the Chair recognizes Mr. Rutherford."

Rutherford: "Just a quick question. Is this in your district, Representative Jones?"

Jones, J.: "Yes, it is."

Rutherford: "Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye';

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those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #16, offered by Representative Beaubien."

Speaker Madigan: "Mr. Beaubien. Is the Gentleman in the chamber? Mr. Beaubien, an Amendment."

Beaubien: "Yes, Mr. Speaker, this is a one word Amendment recommended by the Department of Transportation on a previously approved Amendment. It just adds the words, after 'right-of-way', to insert the word 'by permit'. It's a very technical change. I move it's adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #17, offered by Representative Bost."

Speaker Madigan: "Mr. Bost. Mr. Bost, on an Amendment. Recognize Mr. Bost."

Bost: "Thank you, Mr. Speaker. The Amendment #17 is some quick-take language that the City of Carbondale has asked for and I'd appreciate its approval."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? There being no discussion...Mr. Rutherford."

Rutherford: "O, thank you, Mr. Speaker. Is this in your district, and is there any opposition?"

Bost: "It is in my district, and there is no opposition to the Bill."

Rutherford: "Thank you."

Speaker Madigan: "Mr. Rutherford, what about Mr. Beaubien's Amendment? Is that in his district?"

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Rutherford: "It is and he said..."

Speaker Madigan: "Thank you. Those for the Amendment say 'aye'; those against say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #18, offered by Representative Coulson."

Speaker Madigan: "Representative Coulson on the Amendment."

Coulson: "This Amendment was accepted in the Executive Committee last night. Okay. What it is, is a quick-take for a sidewalk in Northbrook for a public safety reason. The mayor and the area around it has requested it."

Speaker Madigan: "Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. Just to clarify, if the Representative does not specifically say that it is in their district, I'm going to ask them if it is; and if they specifically do not say there's opposition, I'm going to ask them. So that's just...so as a trend for Mr. Beaubien and Mr. Bost, that was the reason for that. Now to Representative Coulson. Is this in your district, and is there opposition?"

Coulson: "This is in my district. I do not know of any opposition."

Rutherford: "Thank you, Representative."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #19, offered by Representative Krause."

Speaker Madigan: "Representative Krause."

Krause: "Thank you, Mr. Speaker. This is a quick-take requested by the City of Prospect Heights and by the City Council."

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It consists of four parcels of land. It lies within my district and Representative Coulson's district. Three of the parcels there are no objection, on the fourth parcel there is some question on a zoning issue which, I believe, shall be resolved and I ask for adoption of the Amendment."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #20, offered by Representative Holbrook."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "Thank you, Mr. Speaker. This being the 20th Amendment, it removes the underlying Bill which there was some discussion on earlier. That Bill is now headed to the Governor's desk on a separate House Bill, and I would move to remove the underlying Bill on this Senate Bill 1878."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. I assume this area is in your district?"

Holbrook: "That I'm removing, yes."

Rutherford: "And I assume that there is no controversy to your removing this?"

Holbrook: "I have heard no objection to me removing this."

Rutherford: "Thank you. I just wanted to qualify that on quick-takes, in this Body, that we want to clarify whose districts they're in and is there controversy or not, and you not having said that earlier, I just wanted to make sure we brought it out on the record and I appreciate it, Representative. Thank you."

Holbrook: "There was ample controversy, but it's being taken off

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the Bill."

Speaker Madigan: "Mr. Stephens."

Stephens: "Just to say that I stand in support of the Gentleman's Motion. Madison and St. Clair County Representatives all stand in support of this."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments. All Notes that have been requested on the Bill have been filed."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1878, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "I move for the passage of Senate Bill 1878. It's become the quick-take freight train, and the underlying Bill is now off of the Bill."

Speaker Madigan: "Mr. Hartke."

Hartke: "Well, I don't want to stop this freight train, but I just updated my computer and none of these Amendments are on it."

Speaker Madigan: "Could you state that again, Sir?"

Hartke: "I said, I just updated my computer and none of these Amendments are on my computer, procedural matter. I don't want to stop it, but shouldn't they be on the computer?"

Speaker Madigan: "Mr. Rutherford."

Rutherford: "There are a number of Amendments that are now adopted to this. A number of them were on there. Some of them were withdrawn. Some of our colleagues have, in fact,

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just moments ago, specifically asked with this having been the Bill that dealt with the attempted Highland Park quick-take, that through cooperation with Chairman Burke and myself, everything with relevance to Highland Park has now been removed totally out of this Bill. Correct, Representative?"

Holbrook: "Absolutely, correct. There's no Highland Park, there's no Southwest Illinois Development Authority. There's no controversial quick-takes on this Bill that I'm aware of and they appear to be all within whoever's Amendment where they ask to be adopted in their district, and I know of no objection to any of them to the best of my knowledge."

Rutherford: "Okay. And rather than taking the time of the Body today to run through every Amendment and have every Representative verify the fact that it is in their district and there is no controversy, I've just now looked at the entire list. It is my belief that that, too, is correct. I do believe it's important to highlight to the Body, though, that what we're dealing with is a Bill dealing with quick-take and there are those that philosophically do not agree with that and just need to highlight that this is quick-take. Apparently, though, no controversy tied to them outside. Just in itself, by definition, quick-take is controversial. So with that I do not stand in opposition to your Bill, Representative."

Speaker Madigan: "Andrea Moore."

Moore, A.: "Thank you. Thank you, Mr. Speaker. Just to clarify for the record, I do not agree that every single one of these quick-takes that are...these Amendments that are included in here have no controversy attached. There is specifically one that does, and it has to do with Round

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Lake Park and the TIF district that it... It was Amendment #3. It's a Committee Amendment. Excuse me, it's not a Committee Amendment. It's Committee Amendment #4. As a matter of fact, I know that the Lake County Division of Transportation, which is going to lose all of those easements through this, has not even been consulted on this Amendment and at this point in time, stand in opposition to that. So I just wanted to make it clear for the record that when it's stated that there's absolutely no controversy attached in any of these Bills, this is not the fact. I know that there is controversy attached to the one that is in Round Lake Park, and it goes beyond the easements and further into the whole entire project. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 69 'ayes', 41 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair has received a Motion from Representative Mulligan to discharge the Rules Committee from further consideration on the Motion to concur in Senate Amendments #1 and 2 to House Bill 868 and to advance that measure for immediate consideration by the House. On that Motion, the Chair recognizes Representative Mulligan."

Mulligan: "Mr. Speaker, I... Pursuant to Rule 18(g), I move once again to discharge the Rules Committee from further consideration on the Motion to concur on Senate Amendments 1 and 2 to House Bill 868, and to advance that measure for

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immediate consideration by the House, and I'm joined by the requisite number of Members on my side of the aisle in requesting that. It's time for us to consider the COLA Bill. We just considered Representative Davis's Bill, which was a huge increase for nursing homes. It certainly does not help the people that work in those homes. This COLA Bill would have given them a three percent increase, retroactive from July 1 to the end of this fiscal year, or retroactive from January 1 to the end of this fiscal year and I think that it's appropriate that we consider it. We have discussed this repeatedly. It has come up in our committee. I have moved this on the House Floor at the end of the Veto Session. I have moved it in committee. I have tried to move your own Bill out of committee, which we were not allowed to do, when the Members on your own side of the aisle were willing to vote for it in the House Appropriations Committee and Human Services, and so once again, I request that this Bill be immediately discharged from the Rules Committee."

Speaker Madigan: "The Lady moves... The Chair recognizes Mr. Hartke."

Hartke: "I object to the Motion."

Speaker Madigan: "Your objection is a point that is well taken and the Motion is ruled out of order. Representative Mulligan."

Mulligan: "I move to overrule the Chair."

Speaker Madigan: "The Lady moves to overrule the Chair."

Mulligan: "And I ask for a debate and a Roll Call Vote."

Speaker Madigan: "Proceed. Representative, proceed with the debate."

Mulligan: "I believe that when we just now, as I said before, passed Representative Davis's Bill that would allow a 91

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million increase in one year and a 131 million increase to advance the cause of nursing homes, that the people that work in those homes and the people that are home care givers that keep people out of nursing homes and all the other human service providers deserve to have this COLA. A vote to sustain the Chair is a vote against working people. I certainly think that these people deserve this cost of living increase. In committee, in the House Human Services, the Chair...the Democratic Chair of that committee has blocked us calling this Bill repeatedly. Your own Member came in to present your Bill. We were blocked from calling that Bill. I definitely think that once again a vote to sustain the Chair on this is a vote against human service providers and care givers that deserve this COLA, and it should have happened at the end of the Veto Session when you adjourned at that midnight time and would not allow us to call that Bill and since then, we have been blocked repeatedly from calling this Bill. It's coming to the end of the session. I think it's time to call it. It's time to release it. It's time to take a vote on it. So I would argue that the Members on...the whole Body should actually vote to sustain...not to sustain the Chair, to vote 'no' on this and to request from you personally that you allow this Bill to be released from the Rules Committee."

Speaker Madigan: "Representative, all right. Representative Mulligan has spoken in support of the Motion to Overrule the Chair, and there will be two more people speaking in support of that Motion. Two people have sought recognition right now, Representative Krause and Representative Lindner. So, Representative Krause."

Krause: "Thank you, Mr. Speaker. I rise in strong support of the

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Representative's Motion to Discharge House Bill 868 from Rules, immediately, and I speak in strong opposition that the Chair should not be sustained. This is one of the most important and significant pieces of legislation that has been pending here before the House this entire session. We have less than a week to go in this session and, yet, this important Bill, which addresses the needs of our human services providers here in the State of Illinois, has still not been brought before the House for full discussion and for a vote. Our human services providers here in the State of Illinois affect all of us, affect each and everyone of our districts in the state and bring to the families of our state the needs so that many of our residents can continue to reside within their homes because of the benefits that they receive from these human services providers, the families are affected throughout our state and in our districts. It helps these providers to help retain many of our family members within their homes so that, in fact, they are not placed within institutions. The caring that is given by these providers must be acknowledged and must be met by the benefits that are received by House Bill 868. In addition, many of the child care that we look to and depend upon would be benefitted by this legislation. In fact, the developmentally disabled that are in our state institutions are a cost to the state of close to \$90,000 a year. Through our community service providers, we are able to have these residents retain in their homes while at the same time at a cost that is only about 36,000 a year. By making this investment, by making this investment in House Bill 868, in the COLA, and by going ahead with the COLA increase that indeed is needed, we will be making an investment in less costly alternatives to our way of caring

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for our individuals. The wage gap that has been created continues and it continues to grow. Our community state run institution employees are receiving more than 54 percent in wages that, in fact, are given to our human services providers. An average community care worker is paid \$7.36 an hour, compared to the \$11.39 hour wage of the direct care employees, and many of our community care wages is below the federal poverty level. The time has come and the time has come for today and for now that we proceed to invest in these providers that give so many benefits back to our families and to our communities. The time has come now that we address this inequity. The time has come on a nonpartisan basis that we support the Motion to Discharge, and that we oppose the Motion to Sustain the Chair. Thank you."

Speaker Madigan: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I rise in support, too, of the Lady's Motion to Discharge this from the Rules Committee, and I really want to ask only one question. Did any of you go over to the public library the other night? Did any of you go over there and see the people who came down here, the people with the disabilities, in their wheelchairs, coping so well with their disability, and we won't call this Bill to pay the people who take care of them to try and keep them in their homes. I hope all of you went over and saw them. I hope you saw them out here, and we need this Bill. It's a crime that we aren't calling this. It's disgusting."

Speaker Madigan: "The question is, 'Shall the Chair be sustained?' Those who wish to support the Chair vote 'yes'; those who are against the Chair vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 58 'ayes', 58 'noes'. The Motion fails. Senate Bill 1315. Mr. Clerk, what is the status of Senate Bill 1315?"

Clerk Rossi: "Senate Bill 1315 has been read a second time previously. Amendment #1 was adopted in Committee. No Motions have been filed. No Floor Amendments approved for consideration. The Notes that have been requested on the Bill have been filed."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1315, a Bill for an Act regarding immunizations. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Actually, Committee Amendment #1, I was going to move to table that Committee Amendment and I believe that a subsequent Amendment has been filed, as well, on the Bill."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Second Reading. Mr. Schoenberg, what's your first point?"

Schoenberg: "My first point, Sir, is I move to table Committee Amendment #1."

Speaker Madigan: "The Gentleman moves to table Committee Amendment #1. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted and the Amendment is tabled. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #3 is pending in the Rules Committee."

Speaker Madigan: "So we'll leave the Bill on the Order of Second Reading. The next Bill shall be by Mr. Roskam, Senate Bill 1331. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1331, a Bill for an Act amending the

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Property Tax Code. Third Reading of this Senate Bill."

Roskam: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1331 is a simple initiative for the City of Warrenville. All it does is it transfers the taxing authority from the city to the park district for the special recreation district. It passed unanimously out of the Revenue Committee, only affects my district. I know of no opposition."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 80 'ayes', 34 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. The next Bill is Senate Bill 1028. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "Senate Bill 1028 has been read a second time previously. Amendment #1 was adopted in Committee. No Motions have been filed. Floor Amendment #4, offered by Representative Phelps, has been approved for consideration."

Speaker Madigan: "Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. I'd be glad to turn it over to Representative Phelps, who wants to introduce Amendment #4 that's been agreed to by the Senate Sponsor."

Speaker Madigan: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 4 simply includes the Drug Alert DARE Program to be considered with all of the other anti-crime, local anti-crime programs that are described in the

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statutes, and this just includes those for the locals to be able to tap that resource for local anti-crime programs that haven't been described previously. Appreciate your support."

Speaker Madigan: "The Gentleman moves for the Amendment...for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1028, a Bill for an Act amending the Illinois Controlled Substances Act. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1028 amends the Illinois Controlled Substances Act. Provides that ephedrine is a schedule II controlled substance that may only be distributed through prescription. Provides that it's unlawful for any person to possess any substance with the intent to use the substance to facilitate the manufacture of any controlled substance or counterfeit substance or controlled substance analogue. It's a very important Bill. Certainly those of us who on the border states realizes that Missouri led the country last year in methamphetamine arrests and methamphetamine labs. This will help address this crucial problem. I'd ask for a favorable Roll Call from the Members."

Speaker Brunsvold: "Representative Brunsvold in the Chair. The Gentleman has asked for the passage of Senate Bill 1028. Is there any discussion? Seeing none, the question is,

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'Shall Senate Bill 1028 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1701, Mr. Clerk. Read the Bill."

Clerk Rossi: "Senate Bill 1701 has been read a second time previously. Amendments 1, 2, 4, 5, 6, 7, 8, and 9 have been adopted to the Bill. No Motions have been filed. Floor Amendment #10, offered by Representative Saviano, has been approved for consideration."

Speaker Brunsvold: "Mr. Saviano on Floor Amendment #10."

Saviano: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #10 was brought to me by the City of Springfield. It's a...the Amendment accommodates a land purchase...City of Springfield from Illinois Department of Transportation. This matter came up as a result of a land swap between IDOT and the City of Springfield. I've got a copy of the contract which was signed and a letter from IDOT explaining the land swap. The City of Springfield is paying \$28,000 to the Illinois Department of Transportation for this property on top of the property that they're swapping with them. I've talked to one of the Representatives of Springfield, informed him of this situation. I know of no opposition to this. I consider the City of Springfield, being here four or five months out of the year, as an adopted part of my district, so I would ask for your approval."

Speaker Brunsvold: "The Gentleman has asked for the adoption of Floor Amendment #10 and on that is there any discussion?"

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The Gentleman from Livingston, Mr. Rutherford."

Rutherford: "Okay. Just to kind of like really talk this through, Representative Saviano. Number one, is this in your district?"

Saviano: "Well, when I get elected to the Illinois Legislature, I know I directly represent my district, but I also represent the whole State of Illinois. I think this is in the best interest of the people in the State of Illinois, especially the tourists that come to Springfield to see the 'Land of Lincoln'."

Rutherford: "Perhaps I should repeat my question again. Representative Saviano, is this in your district?"

Saviano: "No."

Rutherford: "I'm sorry?"

Saviano: "No."

Rutherford: "And whose district is this in?"

Saviano: "This is in Representative Klingler's district. I attempted to talk to her this morning, but I understand that you had a conversation with her yesterday. She's not here today, but I did talk to the other Representative who represents Springfield and filled him in on the...on the developments with this Amendment."

Rutherford: "All right. So, now, the Representative whose district this is in and the other one representing the city are aware of this and do concur that this is the needs for the people in their district?"

Saviano: "Yes. They're very happy to accommodate the City of Springfield and Mayor Hasara."

Rutherford: "All right. And the Mayor's Office and the City of Springfield want this, so there is no downside or controversy associated with this as we know it?"

Saviano: "Absolutely. This Amendment accommodates an arrangement

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that the mayor has with IDOT, and she's in full support."

Rutherford: "I stand in support of Representative Saviano, Representative Klingler and Representative Poe's Amendment to do things for the City of Springfield."

Saviano: "Thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the Gentleman to close."

Saviano: "Just ask that Floor Amendment #10 to Senate Bill 1701 be adopted. Thank you."

Speaker Brunsvold: "The question is, 'Shall Floor Amendment #10 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1701, a Bill for an Act in relation to certain land. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Macon, Mr. Noland."

Noland: "Thank you, Mr. Speaker. Senate Bill 1701 is the annual land transfer Bill for the Department of Transportation. It authorizes the state to release easements and to restore access rights to parcels of land throughout the state. All the appropriate appraisals are on file and the values have all been set and arranged. There's no disagreement to this Bill, it's all agreed to and appreciate your support."

Speaker Brunsvold: "The Gentleman has asked for passage. Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1701 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question there 103 voting 'yes', 11 voting 'no', 1 voting 'present'. This Bill,

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having received a Constitutional Majority, is hereby declared passed. Senate Bill 1339, Mr. Clerk."

Clerk Rossi: "Senate Bill 1339 has been read a second time previously. No Committee Amendments. Floor Amendment #5, offered by Representative Dart, has been approved for consideration."

Speaker Brunsvold: "Mr. Dart on Floor Amendment #5."

Dart: "Thank you, Mr. Speaker, Members of the General Assembly. Floor Amendment 5 just adds an immediate effective date to the Bill and I'd move for its adoption."

Speaker Brunsvold: "Is there any discussion? Seeing none, all in favor of the adoption of Floor Amendment #5 say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment's been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1339, a Bill for an Act regarding children. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the General Assembly. This is a DCFS cleanup Bill from things we had done last year. I know of no opposition. We passed a similar Bill out of the House 118 to nothing, I believe, but it got caught up in the Senate. This expands the number of scholarships to DCFS wards. It allows the child death review teams to do more extensive reviews of death cases. It also adds to the number of cases in which the death review team can examine cases. It provides for expanded notice to foster parents, which is pursuant to federal requirements, and it adds numerous technical changes that were required and asked for by the State's Attorney's Office and numerous other people who are having to

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implement this law. I'd be happy to answer any questions in regards to the rest of the Bill."

Speaker Brunsvold: "Discussion on the Motion to Pass. The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, it appears to me that, as amended, your intent is to put this into a Conference Committee."

Dart: "There were a couple of matters that the department and another couple of other organizations had worked on. They weren't able to come to fruition. One of them was the whole issue which we've talked about at length about the secured care for children, allows to bring the kids back in for the second year in a row. The Senate sat on that Bill, and I want to try to get that one last shot maybe, and so we're trying to work out some language that they might finally accept over there."

Black: "Does...Perhaps they're...is there no serious juvenile murderer or mayhem in the Senate districts? I don't understand their reluctance to look at that procedure."

Dart: "I have yet to get any concrete suggestion as to why we don't want to do this or what type of change. We've offered to play around with some of the language, and it hasn't worked real effective. I...is... Representative, I'm at a loss as to exactly what their concern is."

Black: "Perhaps they prefer that we continue to send them to other states at \$200 a day."

Dart: "Well, we don't have any type of monitoring of them and where, as a matter of fact, one of the places we send our kids just got shut down about two weeks ago because kids were being sexually assaulted in the place."

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Black: "Well, I certainly stand in favor of your Motion, and I hope you can get this worked out and a reasonable compromise. I just would remind some of my downstate colleagues that the transporting of juveniles to approved juvenile detention facilities all over the state is costing us a fortune, and we need to be able to address this on a more cost efficient basis by being able to have secure facilities on a local level. So, it only makes eminent good sense, I'd urge an 'aye' vote."

Speaker Brunsvold: "Further discussion? Seeing none, Mr. Dart to close."

Dart: "I'd appreciate a favorable vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 1339 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question there is 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1610."

Clerk Rossi: "Senate Bill 1610 has been read a second time previously. Committee Amendment #1 has been adopted to the Bill. A Motion to Table Committee Amendment #1 to Senate Bill 1610 has been filed by Representative Mitchell."

Speaker Brunsvold: "The Gentleman from Whiteside, Mr. Mitchell."

Mitchell: "Thank you, Mr. Speaker. We've done an extensive amount of work on House Bill 1610...Senate Bill 1610, with the State Board of Education, and because of that work there will be a further Amendment that is contingent upon the tabling of Amendment 1. So, I move to Table that...that Amendment."

Speaker Brunsvold: "The Gentleman has moved to table Amendment

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#1. Is there any discussion? Is there any discussion? The Gentleman from DuPage. There being no discussion, the Motion is to Table Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Table...and Amendment #1 has been Tabled."

Clerk Rossi: "Floor Amendment #2, offered by Representative Hoeft, has been approved for consideration."

Speaker Brunsvold: "Floor Amendment #2. Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. This is the same Bill that we've passed through here dealing with the purchase/lease of text, came out of here with 113 votes. We're asking that we get a second try in the Senate on this Bill. It came out with almost unanimous support through the chamber. Thank you."

Speaker Brunsvold: "The Gentleman has asked for the adoption of the Amendment. Is there any discussion? The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Would the Sponsor explain that Amendment, please?"

Speaker Brunsvold: "Mr. Hoeft."

Hoeft: "Yes, I can. There is a need to change the law to allow school districts flexibility in the use of textbooks for a purchase/lease arrangement, and it will extend the ability of school districts to use textbooks beyond the five years to seven or eight years. It is a Bill that would save my particular school district an estimated \$100,000 a year. This is de-mandating and allows school districts greater flexibility."

Davis, M.: "So, this is the legislation that says school districts can purchase books then lease them back to the seller and then lease them from the seller. Is that correct?"

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Hoeft: "Correct."

Davis, M.: "Well, I... To the Amendment, Mr. Speaker."

Speaker Brunsvold: "Proceed."

Davis, M.: "We have a textbook fund in the State of Illinois, in the State Board of Education, and that fund is to allow schools to purchase textbooks. My fear, Representative, is we'll go back to the day where there's some schools that are using used, raggedy, no cover textbooks. That is truly my fear. Information changes so frequently, until seven or eight years many times is past the life of that book. Scientific information is being garnered and those books sometimes are to be discarded because the information is not up to date. I have a very serious concern when we talk about not purchasing textbooks, but leasing them. A textbook should belong to a student, a student should have a right to take that book home to carry that book backwards and back home and to school rather than that old adage of this book is leased, and we have to keep this book ten years. Representative Hoeft, with all due respect to you and I know your knowledge about education, but we've lived through a period where our children had old, out of date, raggedy textbooks. I don't want that to happen again. I'm very concerned that that could happen again, and I don't think the textbook fund for the State of Illinois should in anyway be put in jeopardy by one day us being told, 'Your district can lease those books, for example, for a dollar rather than paying seven dollars for a book.' Now the reason we have the textbook fund is because we found some school districts were not purchasing books for their children. Currently, we don't hear that old problem anymore of students not having books, or the books being raggedy, or the books being out of date. Representative,

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in all due respect to you, I do not want to go back to that day when young people in any district are using old seven and eight year textbooks. That is just not the place to save dollars. Another thing that could happen under your proposal is that rather than allowing the children to lease, I'm sorry, to use these leased books, is to xerox material out of the book in order to protect this leased book that they have a lease with for a long period of time. I know there are businessmen that we want to help and we want to support, but we cannot do it at the expense of our children. It is not cheaper. It is not cheaper to lease textbooks. College students purchase their books. Sometimes they are used, but they're purchased, and elementary and high school people should be given a book that can be theirs either to keep or to keep that entire semester. In two or three years when that material becomes outdated or more advanced information has been gleamed, we should not be required to keep that old textbook because the contract said it's leased for six years. We should be able to...any school district should be able to discard those books and use that new information. We must not return to the day where all children were not given an opportunity to have new update books, and with all due respect to you, Representative, I urge a 'no' vote on this... on this Amendment."

Speaker Brunsvold: "The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, I taught school for many years. Are you familiar with the textbook fund of the State of Illinois, because I'm not?"

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Hoelt: "Textbook Loan Fund is what you're referring to?"

Black: "Yes. And how does that work?"

Hoelt: "Textbook Loan Fund has absolutely nothing to do with this. Textbook Loan Fund is the State Board's Fund that they allow a student to purchase one book a year. This is entirely...had nothing to do with that."

Black: "That's what I thought. When I taught school I walked into a junior high school, and I was teaching American history and I knew I was in trouble when I saw that the book stopped with the inauguration of President Roosevelt, and that was Theodore Roosevelt, not Franklin Roosevelt. Now I'm not that old. That book was probably at the time more than 30 years old. I don't understand the previous speaker's objection. In my district, there are many schools who don't have enough money, they haven't bought new textbooks in years, and if I understand what you're trying to do, by lowering the up-front cost you can lease a book, use it, give it back and update your textbooks much more frequently than having to come up with the capital dollars to buy tens of thousands of dollars worth of books that we now own, that we know will be obsolete in three years."

Hoelt: "You're taking away my closing."

Black: "Oh. Well, I didn't mean to do that. I'm sorry, Representative."

Hoelt: "It's exactly correct."

Black: "In all due respect, Mr. Speaker, I stand in strong support of the Bill. I taught school for a number of years and I don't know how it is in anybody else's district, but where I come from schools don't have the capital dollars to buy textbooks. They recycle them, they're too old, they're out of date. It may be a few years from now we won't even

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have textbooks, we'll download or we'll have computer printouts. I don't know, but what the Gentleman is attempting to do is to lower the capital cost, let school districts access new books for a shorter period of time at a greatly reduced cost. That makes eminent good sense, vote 'aye'."

Speaker Brunsvold: "The Motion is, 'Shall Senate Bill... Floor Amendment #2 be adopted?' All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment's been adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Mitchell."

Speaker Brunsvold: "Mr. Mitchell."

Mitchell: "Thank you, Mr. Speaker. Floor Amendment #3 is a very detailed Amendment that has been worked out through the state...with the State Board of Education and everyone else that has a concern about this Bill. Basically, what this Bill does with this Amendment simply says that there will be some discussion, some review of open-ended questions on the IGAP test to make sure that those tests are still moving children toward a better education. This is a State Board Amendment as it is written with some minor modifications. There's some technical parts to this, one of those, at the request of Representative Flowers, was to make sure that...that these tests are done in an unbiased fashion and that they are reviewed in that manner. That has become a part of the Amendment. It also has a portion in there that changes the name of the IGAP Review Committee to the State Testing Review Committee in case the IGAP name is changed, and from my understanding, there's a good possibility that IGAP will be changed to ISAT, which...which reflects that it will be a test that will

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test the adoption of the statewide standards. I move for the adoption of Amendment #3. Be happy to answer any questions. Thank you."

Speaker Brunsvold: "Is there any discussion on the Amendment? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, does your Amendment do away with the IGAP test?"

Mitchell: "Unfortunately, no it does not."

Black: "I was going to say, why not? Could you amend it on its face so that some of the school children could actually spend time learning how to read and write, rather than take tests, or would that be too much to ask?"

Mitchell: "I wholeheartedly agree with that proposal, and if I had the power to do that, Bill, I'd do it in a heartbeat."

Black: "Well, I... I'm married to a teacher..."

Mitchell: "So am I."

Black: "...and about this time of the year when I go home and they're doing IGAP testing day, after day, after day, it's not very pleasant to go home. That's why I'm very disappointed that the Speaker canceled Saturday and Sunday because it takes her awhile to calm down after you try to get young children in this IGAP testing mode, and so I thought maybe your Amendment would be to reduce that testing burden, but evidently we can't do that at this time."

Mitchell: "Well, Representative, I'm not so sure. Of course you know that I was a principal in Danville for some time, and my wife did teach at Daniel's School and perhaps your wife and my wife talked."

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Black: "I think they do, yes."

Mitchell: "Because I'm facing the same thing when I go home and believe me it's not a happy sight."

Black: "Well, I think you have a reasonable Amendment, but perhaps in the future we can go even further, and I appreciate your indulgence."

Mitchell: "Well, one thing nice about this Amendment, Representative, is that it does say, in fact, if the review committee finds that the IGAP open-ended test questions do not move students toward a better education, they will be gotten rid of and that will cut down the amount of time and the amount of cost of the IGAP exam."

Black: "You know, Representative, one thing my wife has suggested, and we may want to see if we can find a vehicle to amend, she would suggest, and has suggested to me, that the State Legislature take the IGAP tests so that we would then know what this is all about. Now, she's a little more cynical than I am, and she's fearful that our failure rate would be rather high. I, on the other hand, know that all of my colleagues would do very well. You know, that's not a bad idea. At some point, maybe we should have all of these IGAP tests administered to those of us who pass on these kinds of things so that we see, number one, what the test is like, how difficult it may or may not be, and the fact that some of these questions are being asked of elementary school children to write paragraphs or to...what we would call an old essay test. It's a very interesting test and at some point maybe you and I could work together, and we can get all our colleagues to take the IGAP test over a three or four day period, 18 hours a day, so we would have a greater knowledge of what we're talking about."

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Mitchell: "Representative, that same suggestion came from my household, but with a caveat that your wife didn't put in. She suggested that prior to the Legislature taking the IGAP tests, that perhaps all State Board employees take the IGAP test to see how well they would do since they are responsible for generating this scary proposition. I think that has merit. I've also had a further suggestion from teachers that maybe we also answer to a test of some type in the recertification area to continue as State Legislators. All of those have merit, but certainly due to the lateness of the hour, I think maybe that's further legislation."

Black: "All right. But it's an interesting thought process and perhaps if nothing else we can ask Mr. Peyton to take the test and then he can let us know how he does. Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from Saline, Representative Phelps."

Phelps: "Mr. Speaker, Ladies and Gentlemen of the House. I rise to support, not only this Amendment, but later to address the Bill because I know that Representative Mitchell and Hoeft and others have worked hard with the State Board of Education, myself and others, to try to reconcile some of the concerns that we have with, not only the cost, but more effective aspects of the IGAP test, and, Representative Black, I have taken some of the IGAP tests and I don't think I want to report to you the results, but, of course, I stayed up all night one time studying for a urine test and still failed, but I know that this is the right direction. I think it's a good compromise, and we can always come back to see what this Amendment assures us, that if it's not lived up to the expectations, we then can further address those concerns. I commend you for your

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leadership, Jerry, on this, very much."

Speaker Brunsvold: "The Gentleman from DuPage, Mr. Persico."

Persico: "Yes. Thank you, Mr. Speaker. I rise on a point of personal privilege. I just want to announce today that we have two birthday boys on this side of the aisle. We have Representative Bill Brady, from Bloomington, who I think is probably getting close to 40 but not quite there yet, and also Representative Lawfer, and I have no idea how old he is nor am I going to hazard a guess, and they do have ice cream down here for us, and this is why we needed to announce it quickly. Thank you."

Speaker Brunsvold: "The lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Davis, M.: "Representative Mitchell, can you tell me what objections the Illinois State Board of Education has against your Bill and also the IFT? Now, am I looking at this correctly that the Illinois Federation of Teachers is opposed to your Bill, as well as the State Board of Education?"

Speaker Brunsvold: "Let's give the Representative some quiet, please."

Mitchell: "Representative, that is a good question. The State Board, at the beginning, supported the Bill. The State Board then objected to Amendment #1, which I tabled. We worked together on Amendment #3, and we do have the support of the State Board of Education on that Amendment. I...I'm not aware of IFT's objection. They objected to a...they were opposed to a Bill I had earlier, 1892, but they did not oppose this as far as I know in committee. I could be wrong."

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Davis, M.: "Maybe it was your first Amendment that they objected..."

Speaker Brunsvold: "Thank you. Further discussion? Mr. Mitchell to close."

Mitchell: "Thank you, Mr. Speaker. This...this...this entire Bill and the Amendment, now the product of about three weeks of intensive work with the Senate and with the House and with the State Board of Education and the Cosponsors, and I would just like to thank all of the Cosponsors who've worked so hard and been so patient until we could work out the problems with this. At this point, I don't think there's any opposition left that I'm aware of, and I would appreciate a 'yes' vote. Thank you."

Speaker Brunsvold: "The Motion is...or the Gentleman has asked for the adoption of Amendment #3. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. All notes that have been requested on the Bill have been filed."

Speaker Brunsvold: "Third Reading. Mr. Black, for what purpose do you rise?"

Black: "Thank you very much, Mr. Speaker. With the indulgence of the Chair and if the Body could give me some attention, I would like to propose something, and I'm dead serious and I'd like to see both parties agree to this. You know, it's tough enough. This job has become tough enough in just trying to deal with the challenges, but some of the political gamesmanship is simply out of control. I don't know why my party, and I criticize my party as I'll criticize the Democrat Party, why do we have to hire photographers to prowl around the floor to see if they can catch us eating a cookie, or eating lunch, or for God's

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sake maybe yawning after a 14 hour day. That is childish, and I asked the Members of my party and the Leaders of my party to tell photographers, if you're going to try and take pictures of somebody yawning, or somebody eating a cookie, or somebody leaning back in their chair so you can put out some scurrilous campaign literature, that is childish and I think it ought to stop, and that's where the Membership of this House ought to get together and tell the Leaders of both parties, enough is enough. It's to the point where you're afraid to even look at a newspaper, sit back in your chair or anything else. Now let's...let's just stop this kind... I would expect better behavior out of an eighth grade student council, and I want to know who is paying the photographers to go around here and see if they can catch somebody yawning, somebody eating a cookie, somebody on the phone. God forbid you'd yawn, or get sick to your stomach, or leave the floor in a huff. This is ridiculous. I call on Leader Daniels and I call on Speaker Madigan, let's put a stop to this."

Speaker Brunsvold: "A good point, Mr. Black. Thank you. Mr. Clerk, read Senate Bill 610 (sic-1610) on Third Reading."

Clerk Bolin: "Senate Bill 1610, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Mitchell."

Mitchell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1610 has been a long hard struggle for a lot of people. We have reached full agreement on a procedure to be used to make sure that the school children from Illinois move forward with academic progress. I don't think I've ever had an issue that's had as much interest as Senate Bill 16 (sic-1610) had or at least that it's generated. We have discussed many different proposals and

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have come up with a simple solution, and I'll try to outline that in layman's terms. Basically what we want to see, is we want to see that the IGAP test or the Illinois Standards Achievement Test, whatever we call it, is a test that actually does make sure that the students of Illinois are moving toward a better education. In order to do that, the State Board of Education proposed that we should have open-ended questions as part of the IGAP test. Now, everyone that's taken tests realizes that open-ended questions take a considerable amount of time. They also take a considerable amount of money to be graded, and thirdly it's very, very difficult to take the bias to take...and to add reliability and validity. When you have humans grading the test, you always have the human error factor. With concerns on both sides, the Illinois Family Institute, Concerned Women of America, afraid that we would have a test that was subject to lawsuits, subject to high cost, they said, 'why are we doing this'? The State Board, in all honesty, tried to answer that question. We went through several Amendments trying to come to agreement and I think we finally have. What we wound up with is an oversight committee very similar to the standards committee that will review the results of the IGAP test through pilots. Beginning very shortly, we will have pilot tests in math and reading which will have two open-ended questions, and that's what was agreed to, that will be then looked at to see if these move students toward a better education. If they do, in fact, prove this, then we will move to the next areas and have more open-ended questions. If they do, in fact, show that there is no difference, except a higher cost and less validity, then we will drop those same test questions. One side would like to see an

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objective test, machine scored, and the results given quickly back to the district that test each individual child. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 610 (sic-1610) pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, 115 voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1210."

Clerk Bolin: "Senate Bill 1210. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1..."

Speaker Madigan: "Who is the Sponsor of Floor Amendment #1? Speaker Madigan in the Chair. Mr. Hartke on Amendment #1."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. As many of you recall, last year we passed Senate Bill 194 in both chambers, and it went to the Governor. The Governor vetoed the piece of legislation because it was missing a part of the Amendment that he thought should be on it, which is state mandates exemption in Public Act 90-525. We came back in the Veto Session and both sides of the chamber, here, as well as the Senate, overrode the Governor's veto. We are now placing an Amendment #1, this language that is necessary for the firefighters' widows fund and so forth, to be fully implemented into law. I would ask for your support for the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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Clerk Bolin: "No further Amendments. All Notes that have been requested on the Bill have been filed."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Bolin: "Senate Bill 1210, a Bill for an Act to amend the Property Tax Code. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Wait. Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Basically, the Bill is what Chuck Hartke just mentioned. That is all that the Bill does, and I would strongly encourage you to support this Bill."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 people voting 'aye', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1279. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1279. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed. All Notes that have been requested on the Bill have been filed."

Speaker Madigan: "Third Reading. For what purpose does Representative Schakowsky seek recognition?"

Schakowsky: "Thank you, Mr. Speaker. I rise on a point of personal privilege to introduce to the Body the Chicago Childrens Choir, a multiethnic, multiracial choir dedicated to improving the lives of children. They're in the gallery right now, and I'd like you to welcome them."

Speaker Madigan: "On the order of Senate Bill 1279. Mr. Clerk, has the Bill been read a third time? Read the Bill for a

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third time."

Clerk Bolin: "Senate Bill 1279, a Bill for an Act concerning certain payroll deductions. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Clayton."

Clayton: "Thank you, Speaker. The purpose behind this Bill is to provide the content requirements and a date by which state agencies are to report the results of the annual State Employees' Charitable Appeal Campaign. The problem has come about because the CMS Advisory Committee has had a difficult time obtaining the necessary information from the participating agencies in a timely manner. Having this requirement in the statutes should solve the problem and will help the charities do their budget planning. The Comptroller's report described in Section 8 has been done by the current Comptroller, although it has not been required by law. This would just codify that practice. The Comptroller's Office has no objections to the Bill and CMS concerns have been satisfied. I would be happy to answer any questions."

Speaker Madigan: "Mr. Lyons. Mr. Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Senate Bill. Representative Clayton has worked with us on this. It's a follow-up to what we did last year to help support charities from throughout the State of Illinois. It's a good Bill, and I urge everyone to vote 'aye' on this issue."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The

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Clerk shall take the record. On this question, there are 115 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1506. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1506. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Gash, has been approved for consideration."

Speaker Madigan: "Representative Gash. Take this matter out of the record. Senate Bill 1350. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1315. The Bill has been read a second time previously."

Speaker Madigan: "13-5-0. 13-5-0."

Clerk Bolin: "Senate Bill 1350. The Bill has been read a second time previously. Amendments #1 and 2 have been adopted. Floor Amendment #4, offered by Representative Black, has been approved for consideration."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment has to be on the Bill to correct an error in other Amendments. It keeps the Bill intact, and the significant change is that it makes the Department of Human Services the overseer of the Bill, should the Bill pass, rather than the Department of Commerce and Community Affairs. The Amendment also changes the phrase, 'subject to appropriation', to 'subject to funding availability' as it relates to the individual development accounts in the underlying Bill. And this change was suggested by the Department of Human Services because they think they might be able to administer the

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program using funds that may be available for such a purpose rather than a specifically appropriated dollar amount. I'll be more than happy to try to answer any questions you have on Amendment #4."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. All Notes that have been requested on the Bill have been filed."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Bolin: "Senate Bill 1350, a Bill for an Act to amend the Illinois Economic Opportunity Act. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was brought to my attention by the Illinois Association of Community Action Agencies. I believe that some language that Representative Pugh wanted is included in the Bill. I'll try very briefly to explain to you what this does. It amends the Illinois Economic Opportunity Act; provides that, as amended, the Department of Human Services shall administer a family and community development grant program to make services available to families that are at risk for a long-term economic dependency and to work with communities to provide economic opportunities. It creates a Community Services Advisory Council. It sets forth the powers and duties in the council in relation to selecting grantees in the program. It's... To make a long story short, this is aimed at getting people moving from welfare to work, but aimed at

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those... You know, some of the easy ones are off now. Now comes the hard part, and I think if you'll support this Bill, it will give the Department of Human Services the ability to do some additional work with those people who have been structurally unemployed for years. I think it will have a positive impact, and I would urge support of the Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Gash, are you prepared with your Amendment? No? Okay. The next matter will be a Motion by Mr. Roskam. Page 15 of the Calendar, relative to Senate Bill 1328. Mr. Roskam."

Roskam: "Mr. Speaker, is this the Motion to Reconsider?"

Speaker Madigan: "Yes, Sir."

Roskam: "Please vote 'aye'."

Speaker Madigan: "Thank you, Mr. Roskam. We'll have one person in opposition to the Motion, Mr. Dart."

Dart: "Thank you. I oppose his Motion that was voted on with a great deal of debate and I oppose his Motion."

Speaker Madigan: "The Motion is, 'Shall the vote be reconsidered?' The Motion requires 60 votes. Those in favor of the Motion vote 'aye'; those opposed vote 'no'. If you wish to go back and debate the Bill again vote 'yes'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 52 'ayes' and 61 'noes', and the

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Motion fails. Mr. Clerk, read the Adjournment Resolution. I'm advised we don't need one. There will be one more item. It's a matter on the Order of Postponed Consideration, Senate Bill 1901. This matter was thoroughly debated previously. The Chair suggests that there be one person to speak for the Bill, one against the Bill, and then we'll go to Roll Call. The person speaking for the Bill will be Representative Lang. Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill we debated for a long period of time the other day. Representative Mautino is still with his wife, perhaps they have their new baby by now. He asked me to move this Bill along for him today. This involves the issue of stock insurance companies and mutual insurance companies. Issues were discussed regarding the rights of the parties. In my view and in the view of those who have sponsored this legislation, the rights of the policyholders are protected under Senate Bill 1901; and, indeed, passing Senate Bill 1901 will put more competition into the insurance industry and in the end create a better climate so that policy rates can go down. Some of the red herrings you've heard about returning money to policyholders have very little to do with the end result of this."

Speaker Madigan: "Mr. Lang, would you bring your remarks to a close."

Lang: "Sure. I would move passage."

Speaker Madigan: "Thank you. Mr. Black, if you could be very brief, Sir."

Black: "I'll do my best, Mr. Speaker and Ladies and Gentlemen of the House."

Speaker Madigan: "Try real hard."

Black: "Thank you. Nothing has changed since you defeated this

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Bill 48 hours ago. I have talked to people in my district, one of them being a past president of the big independent insurance agents of Illinois. He tells me that they don't know much about it, they don't know where this came from. We...Representative Schoenberg and I have filed a Resolution asking that this be studied. I'm telling you right now nothing has changed, you didn't pass this. I find it interesting that the Senate Sponsor couldn't even get this Bill, a Republican Senate Sponsor couldn't get this Bill out of a Republican controlled Insurance Committee in the Senate, so we add it in the last minute as an Amendment to a House Bill. There are three million policyholders out there telling you, 'hey, wait a minute, this is my policy. This is my insurance policy, I want to know more about it'. It won't hurt if they study this issue, have hearings. If it's a good idea, I'll be the first to vote for it in the Veto Session, but I don't think you need to vote for it now, late in the session. Nobody, I take it, nobody on this floor clearly and cogently understands what this does, and you better watch out. The last time you voted on something you weren't clear about, you caught holy heck for about two weeks. Don't do it to yourself again, vote 'no'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 70 'ayes' and 40 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read the Agreed Resolutions."

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Clerk Bolin: "Agreed Resolutions. House Resolution 480, offered by Representative Morrow; House Resolution 481, offered by Representative Feigenholtz; House Resolution 482, offered by Representative Durkin; House Resolution 483, offered by Representative Klingler; House Resolution 487, offered by Representative Reitz; House Resolution 488, offered by Representative Mautino; House Resolution 489, offered by Representative Hoeft; House Resolution 490, offered by Representative Morrow; House Resolution 491, offered by Representative Flowers; House Resolution 492, offered by Representative Hannig; House Resolution 494, offered by Representative Saviano; House Resolution 496, offered by Representative Schakowsky; House Resolution 497, offered by Representative Noland; House Resolution 498, offered by Representative Erwin; House Resolution 499, offered by Representative McGuire; and House Resolution 502, offered by Representative Krause."

Speaker Madigan: "The question is, 'The adoption of the Agreed Resolutions'. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. The Chair plans to adjourn, but to announce, if I could have your attention, Ladies and Gentlemen, if I could have your attention. The deadline for consideration of the Senate Bills on Third Reading and the Senate Bills on Second Reading and the matters on Postponed Consideration will be extended until the end of the Spring Session. So, for those of you who are concerned about getting Bills called, they will be called next week, and, Mr. Black, I take it that meets with your approval."

Black: "Well, could we run down the Calendar and let me know what you're extending? You take each Bill and each Resolution, I... You may be up to something."

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Speaker Madigan: "They're all going to be extended."

Black: "What?"

Speaker Madigan: "They're all going to be extended because we want to hear you speak on all those questions."

Black: "Well, there's one or two I don't... There's one or two I don't think we need to extend, but if you're giving me an opportunity to pontificate next week, I appreciate that."

Speaker Madigan: "Very good."

Black: "And look, here I am on the House Floor. Have your photographer take a picture. Somebody just gave me five bucks."

Speaker Madigan: "Representative Currie moves that the House stand adjourned until Monday at 1:00 p.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Monday at 1:00 p.m. Mr. Lawfer."

Lawfer: "Please help yourself to the ice cream before you leave. I appreciate all the compliments, and I hope Bill Brady has many happy birthdays. Thank you, Mr. Speaker."

Speaker Madigan: "And there will be perfunctory time for the Clerk. Thank you."

Clerk Rossi: "House Perfunctory Session will come to order. Messages from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills: House Bill 1268 together with...House Bill 1268, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections together with Senate Amendment #1. House Bill 1612, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act together with Senate Amendments 1, 2 and 3. House Bill

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2466, a Bill for an Act to amend the Illinois Vehicle Code together with Senate Amendment #1. House Bill 3180, a Bill for an Act relating to electronic commerce security together with Senate Amendment 1 and 2. House Bill 3254, a Bill for an Act to amend the Liquor Control Act together with Senate Amendment #2. House Bill 3321, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act together with Senate Amendment #1. House Bill 3415, a Bill for an Act concerning governmental matters together with Senate Amendments 1 and 2. House Bill 3028, a Bill for an Act to amend the Code of Civil Procedure together with Senate Amendments 2 and 4. House Bill 2700, a Bill for an Act to amend the Liquor Control Act together with Senate Amendment #2. House Bill 2827, a Bill for an Act to amend the Election Code together with Senate Amendment 1, 2, 3, and 5. House Bill 2950, a Bill for an Act in relation to taxes together with Senate Amendment 1, 2 and 3. House Bill 1552, a Bill for an Act to amend the Illinois Insurance Code together with Senate Amendment 1, 2, 3, and 4. House Bill 2643, a Bill for an Act to amend the Veterans Burial Places Act together with Senate Amendment #1. House Bill 3030, a Bill for an Act to amend the Liquor Control Act together with Senate Amendment 1 and 2. House Bill 3249, a Bill for an Act concerning property together with Senate Amendment 1, 2 and 3. House Bill 3515, a Bill for an Act to amend the Illinois Pension Code together with Senate Amendment #1. House Bill 3516, a Bill for an Act to amend the Illinois Pension Code together with Senate Amendment #1.' Introduction and First Reading of House Bills. House Bill 3885, offered by Representative Hassert, a Bill for an Act to amend the School Code. First Reading of this House Bill. S message from the Senate by

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Mr. Jim Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution: House Joint Resolution #51 together with Senate Amendment #1.' There being no further business the House Perfunctory Session stands adjourned."